

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EARL WILLIAMS,

Defendant.

No. CR 05-0027 MMC

~~PROPOSED~~ ORDER FOR  
COMPETENCY EXAMINATION (18  
U.S.C. § 4241(a))

Upon the motion of the defendant made pursuant to 18 U.S.C. § 4241(a), and for good cause appearing, IT IS HEREBY ORDERED that a hearing be held on June 23, 2010, at 2:30 p.m. to determine the defendant's mental competency. Based upon the proceedings in this case and representations of counsel, the Court finds that there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he may be unable to understand the nature and consequences of the proceedings against him and to assist properly in his own defense. 18 U.S.C. § 4241(a).

IT IS FURTHER ORDERED that an evaluation of Mr. Williams be conducted by a licensed or certified psychiatrist and/or psychologist in order to determine his mental competency pursuant to 18 U.S.C. § 4241(b). Accordingly, Mr. Williams is committed to the custody of the Attorney General for placement in a suitable facility in order to conduct such an evaluation. The evaluation shall be conducted in a suitable facility closest to the Court. Further, the time of the commitment for purposes of conducting the examination shall not exceed thirty days, unless the

1 director of the facility applies for a reasonable extension, not to exceed fifteen days, upon a showing  
2 of good cause. 18 U.S.C. §§ 4241(b), 4247(b).

3 IT IS FURTHER ORDERED that the examining psychiatrist(s) and/or psychologist(s)  
4 prepare a report to be filed with the Court no later than June 21, 2010. The report shall include:

5 (1) the defendant's history and present symptoms;


6 (2) a description of the psychiatric, psychological, and medical tests that were  
7 employed and their results;

8 (3) the examiners' findings;

9 (4) the examiners' opinions as to diagnosis, prognosis, and whether the defendant is  
10 suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is  
11 unable to understand the nature and consequences of the proceedings against him or to assist  
12 properly in his defense. 18 U.S.C. § 4247(c).

13 IT IS SO ORDERED.

14  
15 DATED: April 22, 2010

  
MAXINE M. CHESNEY  
United States District Judge